

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

Docket No. 2022-188-EC

Re: SPECTRUM SOUTHEAST, LLC.)	
)	
Complainant,)	PETITION TO INTERVENE
)	
v.)	
)	
YORK ELECTRIC COOPERATIVE, INC.)	
)	
Respondent)	
)	

Pursuant to S.C. Code Ann. Regs. § 103-825 and other applicable rules and regulations of the Public Service Commission of South Carolina (the “Commission”), and pursuant to applicable law, the South Carolina Telephone Coalition (“SCTC”) respectfully submits this Petition to Intervene in the above-captioned proceeding. In support of its Petition, SCTC would respectfully show unto this honorable Commission that:

1. SCTC is a coalition of local exchange telephone companies organized and doing business under the laws of the State of South Carolina. SCTC’s members are telephone companies or telephone cooperatives subject to the jurisdiction of this Commission. A list of companies on whose behalf the SCTC is intervening in this matter is attached hereto as “Exhibit A.” SCTC is intervening on behalf of its member companies and their affiliates.

2. SCTC seeks to intervene in this proceeding with full rights to participate as a party of record insofar as its interests might appear.

3. SCTC’s individual member companies provide local exchange telephone service as incumbent local exchange carriers (“ILECs”) within their respective geographic service areas.

SCTC member companies, either directly or through their affiliates, also provide broadband service to rural customers, both within and outside their respective ILEC service areas. The Office of Regulatory Staff (“ORS”) has estimated that approximately 8% of South Carolinians lack access to broadband at minimum speeds of 25 Mbps download and 3 Mbps upload.¹ It is important to recognize that this means approximately 92% of South Carolinians *do* have access to broadband at minimum speeds of 25/3, and that is largely due to the efforts of SCTC member companies over the past several decades.

4. While SCTC member companies and their affiliates have made great strides in deploying broadband service within their own respective ILEC service areas and beyond, the public interest demands that *all* South Carolina citizens have access to broadband service at minimum 25/3 speeds as quickly as possible. SCTC member companies and their affiliates are ready, willing, and able to continue to expand broadband service to unserved areas of South Carolina, including those areas where electric cooperatives control access to poles and other infrastructure that can help to facilitate such deployment.

5. This is the first proceeding to come before the Commission under the Broadband Accessibility Act, S.C. Code Ann. § 58-9-3000, *et seq.*, which was enacted in 2020 (the “Act”). In its Petition to Determine Just and Reasonable Terms and Conditions for Pole Attachment Agreement (“Petition”), Spectrum Southeast, LLC (“Charter”) asks the Commission to answer a limited legal question, *i.e.*, whether or not electric cooperatives may require prospective attachers to attach to poles based on construction requirements that exceed those of the National Electric Safety Code (“NESC”).

¹ See *Accelerate SC Final Report and Recommendations for Expenditure of Federal Funds*, August 24, 2021, at p. 7 (“ORS estimates that over 166,000 structures in South Carolina still do not meet the minimum requirements for 25/3 service ... Pursuant to 2020 U.S. Census data, over 401,000 South Carolinians do not have access to broadband service that meets the 25/3 requirement”); *see also* 2020 U.S. Census data showing South Carolina’s total population is 5,118, 425. Based on this data, an estimated 7.8% [401,000/5,118,425] of South Carolinians lack access to 25/3 minimum broadband service.

The answer to this question would impact all prospective pole attachers, including SCTC member companies and their affiliates. SCTC, therefore, has a direct and substantial interest in this proceeding and will be affected by its outcome. While SCTC has not fully developed a position on the complaint at this time, SCTC's position is that its participation in this proceeding is necessary in order to protect its interests and will aid the Commission in a full and fair consideration and resolution of the legal issue raised by the complainant.

6. Correspondence and communications to SCTC with respect to this proceeding should be directed to the undersigned counsel.

WHEREFORE, the South Carolina Telephone Coalition respectfully requests that this honorable Commission permit its intervention in this proceeding as its interests might appear.

Respectfully submitted,

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June 17, 2022

Columbia, South Carolina

EXHIBIT A

Bluffton Telephone Company
Chesnee Telephone Company
Comporium, Inc. (f/k/a Rock Hill Telephone Company)
Farmers Telephone Cooperative, Inc.
Ft. Mill Telephone Company, d/b/a Comporium
Hargray Telephone Company
Home Telephone ILEC, LLC d/b/a Home Telecom
Horry Telephone Cooperative, Inc.
Lancaster Telephone Company, d/b/a Comporium
Lockhart Telephone Company, d/b/a TruVista
McClellanville Telephone Company (TDS)
Norway Telephone Company (TDS)
Palmetto Rural Telephone Cooperative, Inc.
Piedmont Rural Telephone Cooperative, Inc.
PBT Telecom, d/b/a Comporium
Ridgeway Telephone Company, d/b/a TruVista
Sandhill Telephone Cooperative, Inc.
St. Stephen Telephone Company (TDS)
TruVista Communications, Inc. (f/k/a Chester Telephone Company)
West Carolina Rural Telephone Cooperative, Inc.
Williston Telephone Company (TDS)

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)	
Respondent)	
)	

I, Laura H. Diaz, Legal Practice Assistant with Burr & Forman LLP, do hereby certify that I have this date served one (1) copy of the foregoing Petition to Intervene upon the following in the above-captioned matter via e-mail and electronic filing to:

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